

SRI S. BANGARAPPA.—We take very strong objection to that word. I would request the Chair to ask him to withdraw that word.

ಶ್ರೀ ಕೋಣದೂರು ಲಿಂಗಪ್ಪ.—ಹಾಗಾದರೆ ಅವರು ಮಾತನಾಡುವುದು ಸೆನ್ಸಲಿಟಿವ್ ಎಂಬುದಾಗಿ ಹೇಳಿದರೆ ಸರಿಹೋಗುತ್ತದೆಂದು ಕಾಣುತ್ತದೆ. ಅದ್ದರಿಂದ ಅವರು ಹೇಳಿದ ಮಾತನ್ನು ಮೊದಲು ವಿತ್‌ಡ್ರಾ ಮಾಡಬೇಕು.

MR. DEPUTY SPEAKER.—Most virulent attacke have been made against the organisation and against the Prime Minister. We have been listening to all that. To say like dumb 'animals' is perfectly in order because it is a simlie. I said how a man can also be an animal. The Hon. Member Sri Puttaswamy has also supported me. Let us leave this matter at that.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Re: Re-appointment of Teachers in the taken over Local Body Schools appointed after 1-4-1971.

SRI H. D. DEVE GOWDA.—Sir, I call the attention of the Minister for Education to the situation that has arisen on account of the order issued by Government that teachers appointed by local bodies on or after 1-4-1971 be treated as local candidates.

SRI M. MALLIKARJUNASWAMY (Minister for Education) Sir, In response to the Calling Attention Notice of Sri H. D. Deve Gowda and others, I wish to make the following statement.

In Government Order No. ED. 40 SLB 70, dated 30-4-1971, sanction was accorded for taking over of Local Body High Schools run by the Taluk Development Boards, Town Municipal Councils and Town Panchayats in the State by Government on consent basis, subject to the terms and conditions laid down

in that order. One of the conditions stipulated in that order is that Staff appointments made by the Local Bodies after the date of receipt of D. O. letter No. ED 40 SLB 70, dated 8-4-1970 by the concerned local bodies shall not be recognised by Government for purpose of absorption into Government service. However in Government letter No. ED. 78 SLB. 71, dated 6-10-1971 a clarification was issued to the effect that if the appointments (Teaching and Ministerial) though made after 8-4-1970 and before 1-4-1971, if they are in conformity with the rules of recruitment and accepted staffing pattern of the schools, they may also be absorbed into Government service. It was also clarified in the said letter dated 6-10-1971 referred to above from the date of taken over *i.e.*, 1-4-1971 the schools have become Government Schools and the question of granting recognition payment of grant-in-aid etc., to these schools would not arise". Further in Government Order No. ED 15 LTS 72, dated 13-9-1972 it has been ordered that the schools referred to in the annexures to Government Order dated 30-4-1971 referred to above shall be deemed to have been taken over with effect from 1-4-71 subject to execution of bond etc.

2. Subsequently in Government Order No. ED. 16 MML 72, dated 29-5-1973 a further batch of 69 Local body high schools have been taken over by Government with effect from 1-4-1973 subject to the same terms and conditions stipulated in Government Order dated 30-4-1971.

3. In view of the position indicated above the local bodies which were managing these taken over schools were not competent and had no jurisdiction with effect from 1-4-1971 in respect of the 1st batch of schools and from 1-4-1973 in respect of 2nd batch of schools to make appointments in these schools. For appointments to be made after the schools were taken

(Sri M. Mallikarjunaswamy)

over by Government *i.e.*, 1-4-1971 and 1-4-1973, the Cadre & Recruitment Rules of the Department of Public Instruction will have to be followed and reservation of vacancies etc., prescribed in the relevant rules of recruitment of Department of Public Instruction are required to be adhered to. If the appointments already made by the Local bodies subsequent to the date of take over *i.e.* 1-4-1971 and 1-4-1973 as the case may, be, were to be regularised it would amount to not following the rules of recruitment etc. In view of this Government considers it necessary to relieve the staff appointed by the local bodies in the taken over schools after 1-4-1971 and 1-4-1973.

4. In this connection, many representations were made by the staff members affected and likely to be affected by this decision of Government referred to above. It was contended in their representations that if their services are terminated as proposed they would be ineligible to seek appointments under Government when advertised in as much as they would be over-aged. All such representations were considered by Government. As per rule 6 (4) of the General Recruitment Rules, the maximum age limit for appointment shall be deemed to be enhanced in the case of the candidate who is or was holding temporarily a post under the Government or holding a post under local authority by the number of years he is or was holding such post subject to a maximum of 5 years. In view of this provision, in the General Recruitment Rules, Government were satisfied that the staff members of the local body high schools who are relieved or proposed to be relieved could apply to the Public Service Commission in as much as their upper age limit for recruitment stand relaxed to the extent of the service they have already put in under local bodies Government subject to a limit of 5 years.

5. It may be pointed out in this connection that some of staff members who were relieved had filed writ petitions in the High Court of Karnataka for quashing the orders of the Department with a direction to appoint them as regular candidates in the post of Secondary School Assistants Grade-II under the provisions of Karnataka Civil Service Rules (District Recruitment to Class-III posts) (Special Rules 1973,) but the High Court of Karnataka have upheld the termination of Writ Petitioners on the ground that the appointments made by the local bodies after the date of take over of the local body high Schools by Government was without jurisdiction. During the course of judgment, it was also observed by the High Court that if the Writ Petitioners have any remedies against the Taluk Development Boards which appointed them it is open to them to avail of such remedy.

6. In spite of the decision of Government to relieve all such employees appointed by the local bodies after 1-4-1971 and 1-4-1973 some have been allowed to continue till 10-4-1975 *i. e.*, the end of the academic year with a view not to dislocate the teaching work in the concerned Schools.

7. As per the details so far received from the Director of Public Instruction there are 119 candidates who would be affected by the decision, if they are relieved with effect from 10-4-1975 and the information is still due in respect of 5 more districts. Therefore the total number of such candidates who would be affected may be about 200.

8. Although a number of representations from such candidates requesting for their absorption into Government Service have already been considered and rejected further representations have been again received praying for their absorption into Government service. These representations are again being examined.

ಶ್ರೀ ಹೆಚ್. ಡಿ. ದೇವೇಗೌಡ :—ಸರ್ಕಾರದವರು ಎರಡು ಆಡಳಿತ ಗಳನ್ನು ಹೊರಡಿಸಿ 69 ಸ್ಥಾನಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡತಕ್ಕ ಉಪಾಧ್ಯಾಯ ಪರ್ಗ ವನ್ನು ಮತ್ತು ಇತರೇ ಶಿಬ್ಬಂದಿಯನ್ನು ತಾ: 1-4-1971ರ ಮತ್ತು ತಾರೀಖು 4-4-1973 ರ ಆಜ್ಞೆಯ ಪ್ರಕಾರ ಅಭಿಸಾರ್ವ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದೂ ಮತ್ತು ಆ ಶಿಬ್ಬಂದಿಯನ್ನು ರೆಗ್ಯುಲರ್ ಸರ್ಕಾರದ ಶಿಬ್ಬಂದಿಯೆಂದು ಪರಿಗಣಿಸಬೇಕೆಂದೂ ತೀರ್ಮಾನ ಮಾಡಿದ್ದಾರೆ. ಆದಕಾರಣ ತಾರೀಖು 1-4-71ರಿಂದ ತಾ. 1-4-73ರ ವರೆಗೆ ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿನವರು ನೇಮಕ ಮಾಡಿಕೊಂಡಿರತಕ್ಕ ಶಿಬ್ಬಂದಿ ಬಗ್ಗೆ ಒಂದು ತಪ್ಪಿದೆ ಎಂದು ಇಲ್ಲಿ ಹೇಳಿರತಕ್ಕದು ನ್ಯಾಯವಾದ್ದಲ್ಲ—ಸರಿಯಲ್ಲ. ಇದರಲ್ಲಿ ಸರ್ಕಾರದವರ ಲೋಪದೋಷಗಳೂ ಇವೆ. ಆ ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿನವರಿಗೆ ಸರ್ಕಾರದವರು ಏಕೆ ಬಿಟಿವಾಗಿ ಅವರು ಯಾವ ಶಿಬ್ಬಂದಿಯನ್ನೂ ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಕೂಡದೆಂದು ಅವರಿಗೆ ತಿಳಿಸಲಿಲ್ಲ ? ಅವರು ಈಗೇನು ಮೇಲಿನ ಎರಡು ಆರ್ದರುಗಳನ್ನು ಹೇಳಿದ್ದಾರೆ ಅದರ ವ್ಯಾಪ್ತಿ ಯಲ್ಲೇ ಈ ಶಿಬ್ಬಂದಿಯೆಲ್ಲಾ ಬರುವುದರಿಂದ ಸರ್ಕಾರದವರು ಈಗಲಾದರೂ ತಮ್ಮ ತಪ್ಪನ್ನು ತಾವು ಅರಿತುಕೊಂಡು, ಇವರ ಈ ಆಜ್ಞೆಯನ್ನು ಪುನರ್ ಪರಿಶೀಲನೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ. ಇಲ್ಲವಾದರೆ ಅನ್ಯಾಯವಾಗಿ ಸರ್ಕಾರದವರ ತಪ್ಪಿನಿಂದಾಗಿ ಸುಮಾರು 200-300 ಜನ ನೌಕರರು ತೊಂದರೆಗೊಳಗಾಗಬೇಕಾಗು ತ್ತದೆ. ಆದ ಕಾರಣ ಸರ್ಕಾರದವರು ಇವರ ಆಜ್ಞೆಯನ್ನು ಪುನರ್ ಪರಿಶೀಲನೆ ಮಾಡುತ್ತಾರೆಯೇ ಎಂದು ಕೇಳುತ್ತೇನೆ ?

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ :—ಅಧ್ಯಕ್ಷರೇ, ಈಗ ನಮ್ಮ ಮುಂದೆ ಬಂದಿರ ತಕ್ಕ ಪ್ರಶ್ನೆ ತಾ: 1-4-1970ರಲ್ಲಿ ಮತ್ತು ತಾ|| 1-3-1973ರಲ್ಲಿ ನೇಮಕ ಆದವರ ವಿಚಾರದ ಬಗ್ಗೆ ಇದೆ. ಇನ್ನು ತಾ|| 1-4-1973ರ ನಂತರ ಸರ್ಕಾರದವರ ಅನು ಮತಿಯನ್ನು ಪಡೆಯದೆ ಆ ಡಿ.ಪಿ.ಐ. ಅವರು ಏಕೆ ಉಪಾಧ್ಯಾಯರನ್ನು ನೇಮಕ ಮಾಡಿಕೊಂಡರು ? ಹಾಗೆ ಸರ್ಕಾರದವರ ಅನುಮತಿ ಇಲ್ಲದೆ ಮಾಡಿಕೊಂಡು ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳನ್ನು ಸರ್ಕಾರ ಮತ್ತು ಡಿ. ಪಿ. ಐ. ಇವರುಗಳು ಹೇಗೆ ಆಪ್ರೊವ್ ಮಾಡಿದರು. Even if appointments have been made subsequent to 1-4-1971 and 1973, their appointments have been approved and their salaries have been paid by the Government. When such appointments are approved and their salaries are paid, why not regularise their services ?

SRI S. BANGARAPPA :—In their circular letter dated 6-8-1971 the local bodies were directed to fill up these posts. Subsequently the Government have approved

their continuance and maintain the statusquo, *vide* letter dated 8-6-1971. The local bodies were authorised by the D. D. P. I. on the basis of circular issued by the D.P.I. So appointments have been made by the respective local bodies on the strength of such letters. So, the rules do not come in the way. Such being the case what stands in the way to regularise their services? ಸರ್ಕಾರದವರ ಡೈರಕ್ಷನ್ ಮೇರೆಗೆ ಈ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳೆಲ್ಲಾ ಆಗಿರುವುದರಿಂದ ಈಗ ಸರ್ಕಾರದವರು ಇವರನ್ನು ರೆಗ್ಯುಲರ್‌ಜ್ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಹೇಳುತ್ತಿರುವುದು ಸರಿಯಲ್ಲ. ತಪ್ಪು ಇವರ ಕಡೆಯೇ ಇರುವಾಗ ಅವನ್ನು ಮುಚ್ಚುವುದಕ್ಕೆ ಹೋಗುತ್ತಿರುವುದು ಒಂದಾದರೆ ಅತ್ತ ಅನ್ಯಾಯವಾಗಿ ಏನೂ ಕಾರಣ ನೂರಾರು ಜನರಿಗೆ ತೊಂದರೆ ಯಾಗುತ್ತದೆ. ಅದಕ್ಕಾಗಿ ಇವರೆಲ್ಲರನ್ನೂ ತಕ್ಷಣ ರೆಗ್ಯುಲರ್‌ಜ್ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಎಂ. ಮಲ್ಲಿಕಾರ್ಜುನಸ್ವಾಮಿ:—ಸ್ವಾಮಿ, ಮೂನ್ಯ ವಿರೋಧಪಕ್ಷದ ಸದಸ್ಯರಾದ ಶ್ರೀ ದೇವೇಗೌಡರು ಮತ್ತು ಇನ್ನು ಇತರೇ ಮೂನ್ಯ ಸದಸ್ಯರುಗಳು ಸರ್ಕಾರದವರ ಈ ಒಂದು ಗಮನ ಸೆಳೆಯುವ ಸೂಚನೆಯನ್ನು ತಂದಿದ್ದರು ಅದರ ಬಗ್ಗೆ ನಾನು ಈಗಾಗಲೇ ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಮಾಡಿದ್ದೇನೆ.

6-30 P. M.

ತಾಲ್ಲೂಕು ಅಭಿವೃದ್ಧಿ ಮಂಡಲಗಳು ನಡೆಸತಕ್ಕ ಪ್ರೌಢಶಾಲೆಗಳನ್ನು ನಾವು ತೆಗೆದುಕೊಂಡಮೇಲೆ ಅವರಿಗೆ ನಿರ್ದೇಶನ ಕೊಟ್ಟಿದ್ದಾಗ್ಯೂ ಕೂಡ ಅವರು ನೇಮಕಗಳನ್ನು ಮಾಡಿರುವುದು ಸರಿಯಲ್ಲ ಎಂದು ಈಗಾಗಲೇ ನಾನು ಕೊಟ್ಟಿರುವ ಹೇಳಿಕೆಯಲ್ಲಿ ತಿಳಿಸಿದ್ದೇನೆ. ಇದರ ಜೊತೆಗೆ ಆಗ್ರೀವ್ಡ್ ಟೀಚರ್ಸ್ ಹೈಕೋರ್ಟ್‌ಗೆ ಹೋದುದನ್ನೂ ಕೂಡ ನಾನು ಪ್ರಸ್ತಾಪ ಮಾಡಿದ್ದೇನೆ. ಮತ್ತು ಈಗಾಗಲೇ ಅನೇಕರನ್ನು ನಾವು ಟರ್ಮಿನೇಟ್ ಮಾಡಿದ್ದೇವೆಂಬುದನ್ನು ಕೂಡ ಹೇಳಿದ್ದೇನೆ. ಡಿ. ಪಿ. ಐ. ರವರು ಏನು ಸರ್ಕ್ಯುಲರ್ ಕೊಟ್ಟಿದ್ದಾರೆಂದೇನು ಮೂನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದರು ಅದರ ವಿಚಾರ ಗೊತ್ತಿಲ್ಲ. ಡಿ. ಪಿ. ಐ. ಬರೆಯುವುದು ಸರಕಾರದ ಕನ್‌ಫರ್ಮೆಷನ್ನಿಗೆ ಬರುವುದಿಲ್ಲ. ಅದನ್ನು ವೆರಿಫೈ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಕೇಡರ್ ಅಂಡ್ ರೆಕ್ರೂಟ್‌ಮೆಂಟ್ ರೂಲ್ಸ್ ವಿಷಯದಲ್ಲಿ ವಿರೋಧ ಪಕ್ಷದವರೂ ಮತ್ತು ನಮ್ಮ ಪಕ್ಷದವರೂ ಮತ್ತು ನಮ್ಮ ಪಕ್ಷದವರೂ ಹಿಂದೆ ನನ್ನನ್ನು ಭೇಟಿ ಮಾಡಿದ್ದರು, ಅಗ ಕೆಲವು ವಿಷಯಗಳನ್ನು ಗಮನಕ್ಕೆ ತಂದಿದ್ದರು. ಅದರ ನಾನು ಮೊದಲನೆ ಹೇಳಿಕೆಯಲ್ಲಿ ತಿಳಿಸಿದ ಹಾಗೆ ಕೆಲವು ಕಡೆ ಎಂಪ್ಲಾಯ್

(ಶ್ರೀ ಎಂ. ಮಲ್ಲಕಾರ್ಜುನಸ್ವಾಮಿ)

ಮೆಂಟ್ ಎಕ್ಸ್‌ಫೇರಿಂಜಿನಿಂದ ಕೂಡ ಹೆಸರನ್ನು ತರಿಸಿಕೊಂಡು ರೆಗ್ಯುಲರೈಸ್ ಮಾಡಿರುವುದು ಕೂಡ ಇದೆ. ಆಪೂರ್ವ್ ಮಾಡಿದ್ದಾರೆಂದು ಮೂನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದ್ದಾರೆ ಅಪೂರ್ವರ್ ಈಸ್‌ನಾಟ್ ಅಪಾಯಿಂಟ್‌ಮೆಂಟ್. ಶಾಲೆ ನಡೆಸಲು ಗ್ರಾಂಟ್ ವಗೈರೆ ಕೊಡುವಾಗ ಅಪೂರ್ವರ್ ಮಾಡದೆ ಇರುವಾಗ ಶಾಲೆ ನಡೆಸುವುದು ಕಷ್ಟವಾಗುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ನಾನಾದರೂ ಈಗಾಗಲೇ ಹೇಳಿಕೆಯಲ್ಲ ಎಲ್ಲ ವಿಷಯಗಳನ್ನೂ ಹೇಳಿದ್ದೇನೆ. ಮತ್ತೆ ಬಂದಿರುವ ಅರ್ಜಿ ಏನಿದೆ ಅದೆಲ್ಲಾ ಈಗ ಪರಿಶೀಲನೆಯಲ್ಲಿದೆ ಎಂದು ಇಷ್ಟನ್ನು ಮಾತ್ರ ಹೇಳುವುದಕ್ಕೆ ನಾನು ಇಷ್ಟಪಡುತ್ತೇನೆ.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ :—ಮುಂದಿನ ತಿಂಗಳು 10ರಂದು ಪ್ರಮಾದವಾಗುವುದು.

MR. DEPUTY SPEAKER :... Now the House stands adjourned to meet tomorrow at 1-00 P. M.

The House adjourned at Thirty-five minutes past Six of the Clock to meet again at One of the Clock on Wednesday the 26th February 1975.